

CIA OPERATIONS CENTER

NEWS SERVICE

Date. 20 Oct

Item No. 2

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UP-053

(HELMS)

(BY LAURENCE MCQUILLAN)

WASHINGTON (UPI) - ATTORNEY GENERAL GRIFFIN BELL SAID TODAY HE HAS REACHED A DECISION WHETHER TO PROSECUTE FORMER CIA DIRECTOR RICHARD HELMS, BUT WON'T DIVULGE IT UNTIL HE DISCUSSES IT FURTHER WITH PRESIDENT CARTER.

HELMS HAS BEEN UNDER INVESTIGATION FOR ALLEGATIONS HE LIED TO A CONGRESSIONAL PANEL DURING ITS PROBE OF WHETHER THE CIA TRIED TO SUBVERT THE MARXIST REGIME OF CHILEAN PRESIDENT SALVADOR ALLENDE. HELMS SAID THE AGENCY PLAYED NO DIRECT PART IN ALLENDE'S OVERTHROW.

BELL FIRST TOLD REPORTERS AT THE WHITE HOUSE THERE WAS "NOTHING NEW" IN THE HELMS CASE, BUT WHEN ASKED WHETHER HE REACHED ON DECISION ON POSSIBLE PROSECUTION, HE SAID:

"WELL, I HAVE, I THINK, REACHED A DECISION."

HE SAID HE HAD "DISCUSSED IT WITH THE PRESIDENT, ONLY IN A GENERAL WAY" AND THAT HE WANTED TO PRESENT IT MORE FULLY TO CARTER.

CIA DIRECTOR STANFIELD TURNER TOLD A NEWS CONFERENCE LAST MONTH THE GOVERNMENT MIGHT CHOOSE NOT TO PROSECUTE HELMS FOR FEAR SENSITIVE SECURITY MATTERS WOULD BECOME PUBLIC.

BELL SAID HE WOULD DISCUSS THE MATTER WITH A GRAND JURY.

ASKED WHETHER HE WAS CONSIDERING ANY DEVICES BY WHICH A GRAND JURY INDICTMENT, WHICH WAS NOT SOUGHT BY THE GOVERNMENT, COULD BE DROPPED, HE REPLIED: "NO, NOT YET."

BELL SAID A DECISION WAS LIKELY TO BE MADE PUBLIC - "PERHAPS WITHIN TWO WEEKS."

UPI 10-20 11:30 AED

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URGENT!!! HELMS

WASHINGTON, OCT 31, REUTER - THE JUSTICE DEPARTMENT CHARGED FORMER CIA DIRECTOR RICHARD HELMS TODAY WITH REFUSAL TO TESTIFY ADEQUATELY TO CONGRESS ABOUT THE AGENCY'S ROLE IN CHILEAN POLITICS. 1
MORE 1617

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HELMES 2 WASHINGTON (R-019 ... CHILEAN POLITICS.) 2

DEPARTMENT OFFICIALS SAID MR. HELMS, CIA DIRECTOR FROM 1966 TO 1973 AND AMBASSADOR TO IRAN FROM 1973 TO 1976, PLEADED NO CONTEST TO THE CHARGE IN U.S. DISTRICT COURT HERE TODAY.

THE CHARGE WAS A LESSER ONE THAT HAD BEEN CONSIDERED BY SOME MEMBERS OF THE JUSTICE DEPARTMENT; AND MR. HELMS' PLEA MEANS HE DOES NOT CONTEST THE CHARGE AND WILL ACCEPT WHATEVER PENALTY THE COURT IMPOSES.

MR. HELMS DENIED IN CONGRESSIONAL TESTIMONY IN 1973 THAT THE CIA WAS INVOLVED IN ANY WAY IN EFFORTS TO KEEP THE LATE SALVADOR ALLENDE FROM BECOMING PRESIDENT OF CHILE. 3

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IN A STATEMENT DISTRIBUTED TO REPORTERS AFTER THE CHARGE AND MR. HELMS' PLEA; THE DEPARTMENT SAID THAT TRYING THE CASE "WOULD INVOLVE TREMENDOUS COSTS TO THE UNITED STATES AND MIGHT JEOPARDIZE NATIONAL SECURITY."

THERE WAS NO IMMEDIATE INDICATION OF WHAT PENALTY MIGHT BE BE IMPOSED; BUT THE STATEMENT INDICATED THAT A PLEA BARGAIN WAS STRUCK INVOLVING A FINE BUT NO PRISON SENTENCE.

THE CASE HAS BEEN DESCRIBED BY ATTORNEY GENERAL GRIFFIN BELL AS ONE OF THE MOST DIFFICULT MATTERS HE HAS HAD TO HANDLE SINCE HE TOOK OFFICE NINE MONTHS AGO.

HE SAID RECENTLY HE WAS BEING BESIEGED AT WASHINGTON PARTIES AND ELSEWHERE BY PERSONS WHO URGED HIM NOT TO TAKE CRIMINAL ACTION AGAINST THE FORMER CIA DIRECTOR.

SPECULATION ABOUT WHAT CHARGES, IF ANY, WOULD BE BROUGHT HAVE CENTERED ON PERJURY; SINCE MR. HELMS' TESTIMONY UNDER OATH THAT THE CIA DID NOTHING TO INFLUENCE THE OUTCOME OF THE 1970 ELECTIONS IN CHILE LATER WAS EXPOSED AS UNTRUE.

BUT THE JUSTICE DEPARTMENT STATEMENT ONLY SAID THAT IN APPEARANCES ON FEBRUARY 17 AND MARCH 6, 1973, BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE; MR. HELMS FAILED TO ANSWER THE PANEL'S QUESTIONS "FULLY AND COMPLETELY AS REQUIRED BY LAW." 2
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DESPITE HIS DISAVOWAL OF ANY CIA MOVES AIMED AT BLOCKING THE ELECTION OF MR. ALLENDE; THERE WAS A COVERT OPERATION BY THE CIA WITH THAT EXACT OBJECTIVE; THE STATEMENT SAID.

"AS PART OF THE COVERT OPERATION, THE CENTRAL INTELLIGENCE AGENCY FUNDED AND ENGAGED IN PROPAGANDA ACTIVITIES DESIGNED TO REDUCE THE NUMBER OF VOTES FOR ALLENDE IN THE SEPTEMBER 4 ELECTION. THE CENTRAL INTELLIGENCE AGENCY ALSO FUNDED DIRECTLY OR INDIRECTLY VARIOUS INDIVIDUALS AND GROUPS IN CHILE OPPOSED TO THE ELECTION OF ALLENDE;" IT ADDED.

THE RECITATION IN TODAY'S STATEMENT OF THE CIA INVOLVEMENT WAS MERELY A RESTATEMENT OF WHAT HAS BEEN ON THE RECORD FOR MORE THAN TWO YEARS BECAUSE OF A MAJOR INVESTIGATION OF THE ACTIVITIES OF THE COUNTRY'S INTELLIGENCE-GATHERING AGENCIES.

THE DEPARTMENT STATEMENT SAID "NEITHER FALSE NOR INACCURATE NOR INCOMPLETE NOR EVASIVE TESTIMONY IS AVAILABLE AS A LAWFUL ALTERNATIVE UNDER ANY CIRCUMSTANCES" TO A WITNESS TESTIFYING TO A LEGALLY CONSTITUTED GOVERNMENT PROCEEDING.

THE STATEMENT INDICATED THE DEPARTMENT BELIEVED THIS PRINCIPLE TOOK PRECEDENCE OVER MR. HELMS' VIEW THAT HE WAS BOUND BY AN OATH HE SIGNED ON LEAVING THE CIA NOT TO DIVULGE CLASSIFIED DATA ABOUT ITS OPERATIONS TO UNAUTHORIZED PERSONS.²
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